

## **REMARKS**

This is a full and timely response to the non-final Office Action mailed April 30, 2007. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

### **Present Status of Patent Application**

Claims 1-28 are pending in the present application. Specifically, claims 16, 17, 22, 23, and 25 are original unamended claims; claims 1-15, 18-20, 24, and 26-28 were previously presented; and claims 21 and 22 have been currently amended without introduction of new matter. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

Furthermore, Applicants wish to place on record their sincere appreciation for Examiner having withdrawn rejections under 35 U.S.C. §§ 101, 112, 102, and 103 made in the previous office action; as well as for entering Applicants' Request for Continued Examination.

### **Claim Rejections under 35 U.S.C. §101**

#### **Statement of the Rejection**

*Claims 21-25 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.*

*Regarding Claims 21-25, the claims lack the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of § 101. They are clearly not a series of steps or acts to be a process nor are they a combination of chemical compounds to be a composition of matter. As such they fail to fall within a statutory category. They are, at best, functional descriptive material, per se.*

#### **Response to the Rejection**

In the interest of moving forward prosecution in this case, Applicants have opted to currently amend independent claim 21 (as well as appropriate dependent claims), to include "structure" in the system claim. Consequently, Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 101, followed by allowance of rejected claims 21-25.

**Claim Rejections under 35 U.S.C. §102**

**Statement of the Rejection**

*Claims 1-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Elmore et al., US Patent Publication 2006/0059107, filed 3/30/2001, published 3/16/2006 (hereinafter Elmore).*

**Response to the Rejection**

**Claim 1**

As accurately pointed out in the Office action, Elmore's invention is directed towards an e-business online commerce solution. However, Applicants respectfully submit that the Office action has failed to accurately interpret certain portions of Elmore and as a result, has improperly cited these portions for justifying the rejection of Applicants' claim 1.

Specifically, Applicants draw attention to pages 6-7 of the Office action wherein paragraphs 125-127 of Elmore are alleged to disclose the validation tables cited in Applicants' claim 1. Paragraphs 125-127 of Elmore do indeed make reference to JavaScript libraries that are used for client-side validation and also do point out that such client-side validation must be used in conjunction with server-side validation, wherein "*the former is not a replacement for the later (latter).*"

Paragraph [0189] of Elmore illustrates some server-side validation types in his Table 1.5. An examination of Elmore's Table 1.5 reveals that all the validation types pertain to data validation **using syntax**. For example, the 'credit card' type uses the LUHN algorithm to ensure validity of the number format, which differs between cards such as Visa, AMEX, Mastercard, Discover, etc. As a further example, the email type of validation ensures that the email address '*includes a period, and ends in a three letter domain or two letter country.*'

In contrast, Applicants have described in the 'Background of the Invention' section of their original application, that their invention is specifically directed towards addressing the shortcomings in carrying out such syntactic validation. This aspect has been further elaborated upon, in paragraph [0040] (reproduced below for easy reference) of Applicants' specification.

[0040] As noted above, an XML message may conform to a structure or syntax specified in a schema, and yet still may contain invalid data in its substance. For

example, as described above in connection with FIGS. 2 and 3, a message may contain an address, which may specify city = "Redmond," state = "Washington," and zip = "98052." This information is syntactically valid (i.e., including a city, state, and zip code is the correct syntax for an address in the United States), and it is also substantively valid (i.e., 98052 is, in fact, the correct zip code for Redmond, Washington). It should be noted, however, that there is no way to determine from the syntax of an address whether the address is substantively valid. For example, "Redmond, Washington 19103" is a syntactically valid address, but not a substantively valid address, since 19103 is the zip code for Philadelphia, Pennsylvania, not Redmond, Washington. Thus, ensuring that an XML message conforms to a schema can ensure only syntactic validity, but not other types of validity. The invention provides a framework for performing arbitrary validity tests on an XML message.  
(Emphasis added)

In keeping with the teaching above, Applicants' claim 1 includes, in pertinent part: *"wherein at least one of said first delegate or said second delegate determines whether the content of the element to which it is applied is valid based on at least one non-syntactic condition of the corresponding content."*

Clearly, the cited prior art of Elmore does not teach or suggest this type of validation and the Office action has failed to point out where such a disclosure can be found.

Consequently, for at least this reason, Applicants respectfully assert that the rejection under 35 U.S.C. § 102(b) is improper and hereby request withdrawal of the rejection, followed by allowance of claim 1.

**Claims 10, 18, and 21**

In contrast to claim 1 which is a claim directed towards a computer-readable storage medium for performing a method, claims 10, 18, and 21 correspond to a method, a data structure, and a system respectively. Consequently, the scope of each of these individual claims is different. Nonetheless, it can be appreciated that the remarks made above in response to the rejection of claim 1 are equally applicable to the rejection of claims 10, 18, and 21. In the interests of brevity these remarks will not be repeated herein. Suffice to state that the cited prior art of Elmore fails to disclose validation based on at least one non-syntactic condition as incorporated into Applicants' claims 10, 18, and 21.

For at least this reason, Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 102(b), followed by allowance of claims 10, 18, and 21.

**Claim 26**

As accurately pointed out in the Office action, Elmore's figure 12 does indeed show a plurality of tree elements. However, the elements of this tree structure correspond to "*a pricing model for one offer with two price groups.*" The Office action fails to identify the relevance of this structure to Applicants' claim 26. For example, the Office action fails to identify where in Elmore can be found the following portion of Applicants' claim 26: "*where the mapping information can be modified to cause the same validation engine, without modification, to modify which executable validation delegates the validation engine selects for which corresponding element types.*"

This aspect has been described in Applicants' specification, for example, in paragraph [0046], wherein it is stated: "*It will be appreciated that the validation engine allows validation tests to be modified or substituted without the need for access to the validation engine's source code, validation tests can be changed simply by registering or de-registering delegates from the validation table. This ability to modify validation tests without access to the underlying validation engine source code is an example of the flexibility provided by the invention.*"

Consequently, for at least this reason, Applicants respectfully assert that the rejection under 35 U.S.C. § 102(b) is improper and hereby request withdrawal of the rejection, followed by allowance of claim 26.

**Claims 2-9, 11-17, 19-20, 22-25, and 27-28**

Applicants respectfully submit that independent claims 1, 10, 18, 21, and 26 are allowable. Consequently, claims 2-9, 11-17, 19-20, 22-25, and 27-28 that are dependent directly or indirectly on claims 1, 10, 18, 21, and 26 respectively are also allowable as a matter of law. *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988).

Consequently, Applicants respectfully request withdrawal of the rejection, followed by allowance of claims 2-9, 11-17, 19-20, 22-25, and 27-28.

**Prior Art Made of Record**

The prior art made of record has been considered, but is not believed to affect the patentability of the presently pending claims.

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**PATENT**

### **CONCLUSION**

Applicants respectfully submit that pending claims 1-28 are allowable. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned representative.

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